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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**IN RE: OPTICAL DISK DRIVE
PRODUCTS ANTITRUST LITIGATION**

Case No. M:10-cv-02143 VRW

MDL No. 2143

This Document Relates to:
ALL ACTIONS

**SUPPLEMENTAL DECLARATION OF
FRANCIS O. SCARPULLA IN SUPPORT OF
THE ZELLE GROUP'S PROPOSAL FOR
APPOINTMENT OF INTERIM CLASS
COUNSEL**

1 I, Francis O. Scarpulla, declare:

2 1. I am an attorney licensed to practice before the courts of the State of California and
3 the Northern District, and a partner of the law firm Zelle Hofmann Voelbel & Mason LLP, attorneys
4 for the Indirect-Purchaser Plaintiffs Ann Carney, Craig P. Kelly, Bonnie Lockwood, Thomas
5 Fennesy, and Justus Austin, III. I make this Declaration in Support of The Zelle Group's Proposal
6 For Appointment Of Interim Class Counsel. I have personal knowledge of the facts stated in this
7 Declaration and, if called as a witness, I could and would testify competently to them.

8 2. In preparing the proposed fee structure, I have not communicated with any other
9 counsel for plaintiffs or defendants in these cases outside of our group as to the substance or form of
10 the proposal, and I have not had any discussions with other counsel for plaintiffs with respect to
11 potential future work on the Indirect Purchaser Cases. Counsel assisting in the preparing of this
12 submission were advised to maintain its confidentiality and to not communicate with any other
13 counsel for plaintiffs or defendants outside of our group as to the substance or form of the proposal.
14 To the best of my knowledge, no one from our group has discussed or shared the substance or form
15 of the proposal with parties or counsel outside of our group.

16 I declare under penalty of perjury pursuant to the laws of the State of California that the
17 foregoing statements of fact are true and correct.

18 Executed this 13th day of May, 2010 in San Francisco, California.

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20 /s/ Francis O. Scarpulla

21 Francis O. Scarpulla
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